Cir pg 4 Nov 9 Conf

IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM 1979

NO.79-5080

RECEIVED
OCT 27 1979
OFFICE OF THE CLERK
SUPREME COURT, U.S.

ARCHIE W. WILLEFORD

Petitioner

V

W.J.ESTELLE JR. Director
Texas Department of
Corrections

Respondent

REPLY BRIEF TO

MEMORANDUM OPPOSING CERTORIARI

To th Honorable Justices of The Supreme Court of The United States:

Petitioner in Reply to Respondents Memeorandum Opposing Certiorari would show that:

1. Petitioners Petition for Writ of Certorari was filed in Forma Pauperis with the Petitioner having to act in pro per/pro se and/or relying on the assistance of a "Jail House Lawyer",and as this Court has held in regards to inmates filing in pro per/pro se that those actions are to be held to less stringent standards than those filed by trained legal counsels.See Haines -v- Kerr 404 US 519.See also Bell -v- Hood 327 US 678 where the Court stated that

> " It is established practice for the court to sustain jurisdiction of Federal Courts to issue injunctions to protect rights safeguarded by the Constitution,and restrain individual state officers from doing what the 14th Amendment forbids the state to do.Moreover,where Federally protected rights are/have been invaded it has been the rule from the beginning that Courts will be alert to adjust remedies so as to grant the necessary relief"

Petitioner can not understand why a person filing for Certorari and/or Habeas Corpus is any different or should be held to more stricter standards than Civil Rights Actions.Petitioner would further point out that the Respondent herein does not deny or attempt to defend against Petitioners allegations or even to dispute the facts that Petitioners rights have been violated;

2. Petitioner is not aware of whether the Respondent is aware that On June 8,1979 Petitioner filed with this Court his Petition for Writ of Habeas Corpus pursuant to 28 USCA Section 2241 (c)(3);Supreme Court Rules 31 (5).Addressed to the Honorable Justice Thurgood Marshall and at the request of Justice Marshall Petitioner filed his Petition for Writ of Certoriari.

3. Petitioner would point out that the questions involved herein this matter presents a valid Constitutional question,and if Petitioners rights have been violated he is entitled to relief.

WHEREFORE PREMISES CONSIDERED Petitioner prays that this court hear this matter and grant Certorari to adjudicate the matter.

Respectfully Submitted

Archie W Willeford

Archie Willeford

TDC No.211490

Ellis Unit

Huntsville Texas 77340

Subscribed and sworn to before me this 22 day of Oct 1979

A. J. Murdock

NOTARY PUBLIC In and For The

County of Walker,State of Texas

A. J. MURDOCK
Notary Public, Walker County, Texas.
My term expires: July 17, 1981.

My Commission Expires on : 7/17/81